

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM GRIBBLE

v.

LOUIS FOLINO, et al,

CIVIL ACTION
NO. 09-2091

ORDER

AND NOW, this 26th day of July, 2024, it is hereby ORDERED that:

1. The Commonwealth's Objection to the April 23, 2023 Report and Recommendation of the Magistrate Judge [Doc. 149] is OVERRULED.
2. The Petitioner's Objections to the April 23, 2023 Report and Recommendation of the Magistrate Judge [Doc. 155] are SUSTAINED.
3. The Report and Recommendation of the Magistrate Judge [Doc. 144] is ADOPTED IN PART AND NOT ADOPTED IN PART.
4. The Report is ADOPTED with respect to the finding that the Magistrate Judge acknowledged that the Commonwealth had conceded there was a constitutional violation but that she still bore the responsibility to consider the merits of Petitioner's habeas claims.
5. The Report is NOT ADOPTED in all other respects.
6. The parties may renew their Joint Motion for Conditional Grant of Writ of Habeas Corpus [Doc. 128 and Doc. 156] within 10 days of the date of this Order.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.